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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,592	10/24/2003	Vilas S. Ketkar	SVL920030070US1/2891P	1096

7590 05/21/2007  
SAWYER LAW GROUP LLP  
P.O. Box 51418  
Palo Alto, CA 94303

EXAMINER
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BURGESS, BARBARA N

ART UNIT	PAPER NUMBER
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2157

MAIL DATE	DELIVERY MODE
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05/21/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/693,592	Applicant(s) KETKAR ET AL.	
	Examiner Barbara N. Burgess	Art Unit 2157	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some    \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10-24-03</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Rowlands et al. (hereinafter "Rowlands", US Patent Publication 2005/0251631 A1).

As per claims 1 and 9, Rowlands discloses a method for communicating capabilities supported by a device to at least one other device comprising the step of:

- a) providing a bit stream by the device, wherein at least one bit in the bit stream represents a feature supported by the device (paragraphs [0093-0094]).

As per claims 2 and 10, Rowlands discloses the method of claim 1 further comprising:

- b) identifying mutually supported features between the device and the at least one other device (paragraphs [0055-0056]).

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As per claims 3 and 11, Rowlands discloses the method of claim 1, wherein each bit in the bit stream has a value (paragraph [0090]).

As per claims 4 and 12, Rowlands discloses the method of claim 3, wherein each bit corresponds to a feature (paragraph [0093]).

As per claims 5 and 13, Rowlands discloses the method of claim 4, wherein a feature is supported if the corresponding bit value is a one (1) (paragraph [0090]).

As per claims 6 and 14, Rowlands discloses the method of claim 5, wherein a feature is not supported if the corresponding bit value is a zero (0) (paragraph [0090]).

As per claims 7 and 15, Rowlands discloses the method of claim 6, wherein the identifying step (b) includes:

(b 1) comparing the bit stream with another bit stream received from the at least one other device (paragraph [0092]).

As per claims 8 and 16, Rowlands discloses the method of claim 7, wherein the comparing step (b1) includes performing a logical AND operation between the bit streams (paragraph [0091]).

As per claim 17, Rowlands discloses a method for establishing a communication session between at least two devices comprising the steps of:

- a) initiating communication between a first device and a second device (paragraph [0048]);
- b) exchanging a bit stream associated with the first device and a bit stream associated with the second device (paragraph [0050]); and
- c) identifying mutually supported features (paragraph [0055]).

As per claim 18, Rowlands discloses the method of claim 17 further comprising:

- d) utilizing at least one of the mutually supported features during the session (paragraph [0056]).

As per claim 19, Rowlands discloses the method of claim 17, wherein at least one bit in the bit stream represents a feature supported by the device associated with the bit stream (paragraphs [0093-0094]).

As per claim 20, Rowlands discloses the method of claim 19, wherein each bit in the bit stream has a value (paragraph [0090]).

As per claim 21, Rowlands discloses the method of claim 20, wherein each bit corresponds to a feature (paragraph [0093]).

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As per claim 22, Rowlands discloses the method of claim 21, wherein a feature is supported if the corresponding bit value is a one (1) (paragraph [0090]).

As per claim 23, Rowlands discloses the method of claim 22, wherein a feature is not supported if the corresponding bit value is a zero (0) (paragraph [0090]).

As per claim 24, Rowlands discloses the method of claim 23, wherein the identifying step (c) includes:

(c 1) comparing the bit streams associated with the first and second devices (paragraph [0092]).

As per claim 25, Rowlands discloses the method of claim 24, wherein the comparing step (cl) includes performing a logical AND operation between the bit streams associated with the first and second devices (paragraph [0091]).

As per claim 26, Rowlands discloses the method of claim 17, wherein the first device is a client and the second device is a server (paragraph [0055]).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara N. Burgess whose telephone number is (571) 272-3996. The examiner can normally be reached on M-F (8:00am-4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Ettinene can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Barbara N Burgess  
Examiner  
Art Unit 2157

May 14, 2007

  
PATRICE WINDER  
PRIMARY EXAMINER